

Neel Chatterjee (SBN 173985)
nchatterjee@goodwinlaw.com

James Lin (SBN 310440)
jlin@goodwinlaw.com

GOODWIN PROCTER LLP
135 Commonwealth Drive
Menlo Park, California 94025
Tel.: +1 650 752 3100
Fax.: +1 650 853 1038

Brett Schuman (SBN 189247)
bschuman@goodwinlaw.com

Shane Brun (SBN 179079)
sbrun@goodwinlaw.com

Rachel M. Walsh (SBN 250568)
rwalsh@goodwinlaw.com

Hayes P. Hyde (SBN 308031)
hhyde@goodwinlaw.com

GOODWIN PROCTER LLP
Three Embarcadero Center
San Francisco, California 94111
Tel.: +1 415 733 6000
Fax.: +1 415 677 9041

Hong-An Vu (SBN 266268)
hvu@goodwinlaw.com

GOODWIN PROCTER LLP
601 S. Figueroa Street, 41st Floor
Los Angeles, California 90017
Tel.: +1 213 426 2500
Fax.: +1 213 623 1673

Attorneys for Defendant: Otto Trucking LLC

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

WAYMO LLC,

Plaintiff,

v.

UBER TECHNOLOGIES, INC.,
OTTOMOTTO LLC; OTTO TRUCKING LLC,

Defendants.

Case No. 3:17-cv-00939-WHA

**DEFENDANT OTTO TRUCKING
LLC'S ADMINISTRATIVE MOTION
TO FILE UNDER SEAL EXHIBITS IN
RELATION TO MOTION TO COMPEL
DISCOVERY FROM WAYMO
REGARDING ITS FORENSIC
INVESTIGATION**

Judge: Hon. Jacqueline Scott Corley
Trial Date: October 10, 2017

1. Pursuant to N.D. Cal. Civil Local Rules 7-11 and 79-5, Defendant Otto Trucking, LLC (“Otto Trucking”) submits this administrative motion for an order to file under seal exhibits to Otto Trucking’s Motion to Compel Discovery from Waymo in Relation to its Forensic Investigation of Messrs. Levandowski, Raduta, and Kshirsagar.

Specifically, Otto Trucking requests an order granting leave to file under seal the confidential portions of the following:

| Document | Portions to Be Filed Under Seal | Designating Party |
|----------------------------------|---------------------------------|-------------------|
| Letter Brief | Highlighted portions | Plaintiff |
| Exhibit 1 to the Vu Declaration | Highlighted portions | Plaintiff |
| Exhibit 2 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 3 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 4 to the Vu Declaration | Highlighted portions | Plaintiff |
| Exhibit 5 to the Vu Declaration | Highlighted portions | Plaintiff |
| Exhibit 6 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 8 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 9 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 10 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 11 to the Vu Declaration | Entire Document | Plaintiff |
| Exhibit 12 to the Vu Declaration | Entire Document | Plaintiff |

The highlighted portions of Exhibits 1, 2, 4 and 5 and the entirety of Exhibits 2, 3, and 6 through 12 to the Declaration of Hong-An Vu in Support of Defendant Otto Trucking’s Motion to Compel Discovery From Waymo Regarding Its Forensic Investigation (“Vu Decl.”) contain information that Waymo has designated “Confidential” or “Highly Confidential – Attorneys’ Eyes Only” pursuant to the Protective Order in this case. (*See* Vu Decl., ¶ 3.) Otto Trucking states no position about whether the confidentiality designations are appropriate. Otto Trucking anticipates that Waymo will file any necessary declarations to seal the above information pursuant to L.R 79-5.

1 Pursuant to Civil Local Rule 79-5(d)(2), Otto Trucking will lodge with the Clerk the
2 documents at issue, with accompanying chamber copies. Otto Trucking served Waymo with this
3 motion on August 11, 2017.

4 Dated: August 11, 2017

RESPECTFULLY SUBMITTED,

6 By: /s/ Neel Chatterjee
7 Neel Chatterjee
8 *nchatterjee@goodwinlaw.com*
9 **GOODWIN PROCTER LLP**

10 *Attorneys for Defendant:*
11 *Otto Trucking LLC*
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States District Court for the Northern District of California by using the CM/ECF system on August 11, 2017. I further certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the CM/ECF system.

I certify under penalty of perjury that the foregoing is true and correct. Executed this 11th day of August 2017.

/s/ Neel Chatterjee